



17-3694#

PATENT
Attorney Docket No. 06556.0039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
John D. POLK et al.) Group Art Unit: 3694
)
Application No.: 10/043,493) Examiner: Mary Da Zhi Wang Cheung
)
Filed: January 14, 2002)
)
For: APPARATUS AND METHODS) Confirmation No.: 9208
FOR PROVIDING A PAYMENT)
SYSTEM OVER A NETWORK)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF RELATED LITIGATION AND
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

As required by M.P.E.P. § 2001.06(c), Applicants bring to the attention of the Office a litigation recently filed involving U.S. Patent Nos. 5,946,669, 6,119,107, 7,225,155, and 7,072,909. The first named inventor of the above-referenced invention is also listed as the inventor on the patents involved in the litigation. A copy of the complaint filed to initiate the litigation on April 4, 2008 is attached.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

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Copies of the listed non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 25, 2008

By: 

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